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2252	7590	03/24/2009	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			ABU ALI, SHUANQYI	
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Please find below and/or attached an Office communication concerning this application or proceeding.

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ATTACHMENT TO ADVISORY ACTION:

Applicant argues that the reference is silent about the relationship set forth in claim 1. The Examiner respectfully submits that it is the position of the examiner that since the charge value difference is determined by the charge value of resin and charge value agent themselves, which is a property of the resin and charge value agent, thus the claimed value difference would be inherent to that of Hashizume absent clear evidence to the contrary. See MPEP 2112. The Examiner respectfully submits that applicant fails to provide any factual evidence to show that the prior art pigment does not have the charge value relation.

Applicant argues that the unexpected result of the instant pigment composition. The Examiner respectfully submits that the data provided are not commensurate in scope with the broadly claimed invention. See *In re Clemens*, 622 F.2d 1029, 1036, 206 USPQ 289, 296 (CCPA 1980) and MPEP 706.02(d). To establish unexpected results over a claimed range, applicants should compare a sufficient number of tests both inside and outside (i.e. as well as the upper and lower limits) the claimed range to show the criticality of the claimed range. *In re Hill* 284 F.2d 955, 128 USPQ 197 (CCPA 1960).